

**THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS**

City of Garden City  
August 16, 2016

The regular meeting of the Board of Commissioners of the City of Garden City was held at 1:00 p.m. at the City Administrative Center on Tuesday, August 16, 2016 with all members present. Commissioner Fankhauser opened the meeting with the Pledge of Allegiance to the Flag and the Invocation.

Commissioner Fankhauser moved to approve a request by the Garden City Fire Department personnel request waiver of Code Section 62-15, Unlawful Solicitation, to allow for department personnel to collect donations for the Muscular Dystrophy Association Boot Block on August 28, 2016 from 9:30 a.m. to 3:00 p.m. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Fankhauser moved to approve a request from Angelica Castillo Chappel, President of the Community Mexican Fiesta, to waive the sign fees and to place a 4' x 6' sign at the southeast corner of Lewis Automotive at Campus Drive and Fulton Street, at the northwest corner of Stevens Park and on the south side of Mary Street at the GCHS entrance for the two weeks prior to September 10, 2016. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve and allow the Mayor to proclaim September 1, 2016 as Charles "Chuck" Bouilly Day in Garden City. Congratulations on your retirement, Chuck! Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Finance Director Hitz presented the new City Interactive Voice Response payment service. This service is scheduled to begin September 1, 2016.

Court and Defendant Coordinator Kuhlmann provided a presentation on the Municipal Court.

The City received correspondence from Cox Communications regarding channel line-up changes.

Staff provided items of information for Governing Body review including the following: from Director of Aviation Powell the monthly activity report, from Finance Director Hitz the monthly financials, from Fire Chief Shelton, the monthly activity report, from Police Chief Utz the monthly activity reports and from Zoo Director Newland the staff report.

Meetings of note:

- August 19, 2016 – Dedication of Carolos Bribiesca Basketball Courts at Finnup Park at 9:00 a.m.; 3 on 3 Basketball tournament to follow at 6:00 p.m.
- August 20, 2016 - Downtown Vision's 2016 Banner Art Walk, 4:00-6:30 p.m.; Reception at GC Arts, 6:30-8:00 p.m.
- August 26-28, 2016 – Tumbleweed Festival on the West Green at Lee Richardson Zoo

- August 27, 2016 - Garden City Area Chamber of Commerce 10th Annual Wine Tasting Event at the Clarion Inn at 7:00 p.m.
- August 30, 2016 – Town Hall Meeting in the Commission Chambers at the City Administrative Center at 7:00 p.m.
- September 5 - 11, 2016 - Garden City Charity Classic / Symetra Tour at Buffalo Dunes Golf Course
- September 10, 2016 – Community Mexican Fiesta at Stevens Park
- September 15-17, 2016 - Garden City Charity Classic at The Golf Club at Southwind
- September 17, 2016 - Fall Fest 2016, Main Street, Grant Avenue and Stevens Park - 8:30 a.m. - 3:30 p.m.
- September 24, 2016 - A Wild Affair at Lee Richardson Zoo, gates open at 6:00 p.m.
- October 6, 2016 - Diversity Breakfast at the Clarion Inn and Conference Center, 7:30 a.m. -9:00 a.m.; Multi Cultural Summit 9:30 a.m. - 3:30 p.m.
- October 8-10, 2016 – League of Kansas Municipalities 2016 Annual Conference in Overland Park, Kansas
- October 22, 2016 - Boo! At the Zoo, Advance pass gate opens at 4:00 p.m.
- November 5, 2016 - Banner Art Auction, Clarion Inn - 6:30 p.m.
- December 4, 2016 - Downtown Evening Christmas Parade, Main Street - 6:30 p.m.

Appropriation Ordinance No. 2417-2016, “AN APPROPRIATION ORDINANCE MAKING CERTAIN APPROPRIATIONS FOR CERTAIN CLAIMS IN THE AMOUNT OF \$1,756,780.79 was read and considered section by section. Commissioner Fankhauser moved to approve and pass Appropriation Ordinance No. 2417-2016. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The Governing Body considered the Standard Traffic Ordinance (STO) and Uniform Public Offense Code (UPOC) for 2016.

Ordinance No. 2730-2016, “AN ORDINANCE REGULATING PUBLIC OFFENSES WITH THE CORPORATE LIMITS OF THE CITY OF GARDEN CITY, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, EDITION 2016, WITH CERTAIN OMISSIONS, ADDITIONS OR CHANGES; AMENDING CODE SECTION 62-2; REPEALING EXISTING CODE SECTION 62-2; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2730-2016. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Ordinance No. 2731-2016, “AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF GARDEN CITY, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION 2016, WITH CERTAIN OMISSIONS, ADDITIONS, OR CHANGES; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES; AMENDING CODE SECTION 86-2; REPEALING EXISTING CODE SECTION 86-2; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS” was read and considered section by section. Commissioner Cessna moved to approve Ordinance No. 2731-2016. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The Governing Body considered amendments and additions to Section 62-17, Use or Possession of Marijuana.

Ordinance No. 2732-2016, “AN ORDINANCE PROHIBITING THE USE OR POSSESSION OF MARIJUANA AND ESTABLISHING PENALTIES THEREFOR IN THE CITY OF GARDEN CITY, KANSAS; AMENDING CURRENT CODE SECTION 62-17; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2732-2016. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The Governing Body considered the low bid for the General Obligation Bonds which were received on August 16th at 11:00 a.m. Financial Advisor Bret Shogren and Bond Counsel Mary Carson presented the bids. An Ordinance and Resolution authorizing the bonds were presented for consideration and approval.

Ordinance No. 2733-2016, “AN ORDINANCE OF THE CITY OF GARDEN CITY, KANSAS, AUTHORIZING ISSUANCE OF THE CITY’S GENERAL OBLIGATION BONDS, SERIES A, 2016, IN THE PRINCIPAL AMOUNT OF \$2,000,000, TO FINANCE COSTS OF CAPITAL IMPROVEMENTS IN THE CITY; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX TO PAY PRINCIPAL OF AND INTEREST ON THE BONDS; AUTHORIZING OTHER RELATED DOCUMENTS AND ACTIONS; AND MAKING COVENANTS WITH RESPECT TO THE BONDS” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2733-2016. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Resolution No. 2661-2016, “A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF THE CITY OF GARDEN CITY GENERAL OBLIGATION BONDS, SERIES A, 2016, IN THE PRINCIPAL AMOUNT OF \$2,000,000, AS PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 2733-2016 OF THE CITY; MAKING COVENANTS AND AGREEMENTS PROVIDING THE PAYMENT AND SECURITY OF BONDS; AUTHORIZING RELATED DOCUMENTS AND ACTIONS” was read and considered section by section. Commissioner Fankhauser moved to approve Resolution No. 2661-2016. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The Governing Body considered a Resolution of Intent to Issue Industrial Revenue Bonds (IRB) for Phase 1 of the Ranch House Senior Living, LLC development, a senior housing complex at 2802 N. Campus Drive. Bond Counsel Mary Carson reviewed the IRB process and discussed the draft Payment in Lieu of Taxes agreement.

Resolution No. 2662-2016, “A RESOLUTION STATING THE INTENT OF THE GOVERNING BODY OF THE CITY OF GARDEN CITY, KANSAS, TO ISSUE INDUSTRIAL REVENUE BONDS IN THE APPROXIMATE PRINCIPAL AMOUNT OF \$20,000,000 TO PAY COSTS OF ACQUIRING, CONSTRUCTING AND EQUIPPING COMMERCIAL FACILITIES WITHIN THE CITY (RANCH

HOUSE SENIOR LIVING, LLC PROJECT - PHASE 1).” was read and considered section by section. Commissioner Cessna moved to approve Resolution No. 2662-2016. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The Governing Body considered a request for annexation from T P & L Management Solutions.

Ordinance No. 2734-2016, “AN ORDINANCE ANNEXING LAND TO THE CITY OF GARDEN CITY, FINNEY COUNTY, KANSAS, PURSUANT TO K.S.A. 12-520(a)(7)” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2734-2016. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Ordinance No. 2735-2016, “AN ORDINANCE ESTABLISHING REGULATIONS FOR THE OPERATION OF CEMETERIES OWNED BY THE CITY OF GARDEN CITY, KANSAS; AMENDING CURRENT CODE SECTIONS 30-33, 30-34, 30-38, 30-39, 30-41, 30-43, 30-49, 30-53, 30-76 AND 30-80; REPEALING CURRENT CODE SECTIONS 30-33, 30-34, 30-38, 30-39, 30-41, 30-43, 30-49, 30-53, 30-76 AND 30- 80; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS” was read and considered section by section. Commissioner Fankhauser moved to approve Ordinance No. 2735-2016. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Ordinance No. 2736-2016, “AN ORDINANCE ESTABLISHING FEES AND REGULATIONS FOR A COLUMBARIUM AT VALLEY VIEW CEMETERY IN THE CITY OF GARDEN CITY, KANSAS; CREATING NEW CODE SECTIONS 30-58 AND 30-59; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS” was read and considered section by section. Commissioner Dale moved to approve Ordinance No. 2736-2016. Commissioner Fankhauser seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

The Governing Body considered bids received August 10, 2016 for the US-83 widening and access road project related to the Meadowlark Dairy Nutrition plant. Troy Sporer with Sporer Land Development addressed the Governing Body regarding the previous bid being publicly disclosed.

Commissioner Fankhauser moved to approve the low base bid and Alternate #2 and award the contract to APAC-Kansas, Inc., Shears Division for \$1,418,856.00.

Bid Item	Engineer's Estimate	Sporer Land Development,	APAC-Kansas, Inc., Shears Div.	Mayan Construction, Inc
Base Bid Total	\$784,247.40	\$778,900.45	\$768,688.35	\$1,573,345.29
Bid Alternate No. 1 Total	\$609,813.00	\$571,615.50	\$582,770.90	\$801,387.40
Base Bid + Bid Alternate No.1 Total	\$1,394,060.40	\$1,350,515.95	\$1,351,459.25	\$2,374,732.69
Bid Alternate No. 2 Total	\$688,953.00	\$661,143.50	\$650,167.65	\$1,097,563.90
Base Bid + Bid Alternate No.2 Total	\$1,473,200.40	\$1,440,043.95	\$1,418,856.00	\$2,670,909.19

Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Fankhauser moved to approve a Memorandum of Understanding between the City of Garden City and Legacy Motors, LLC identifying both parties' intention to use a one-time cash payment of \$450,098 (payable at the time of the issuance of a certificate of occupancy) in lieu of participation in the Neighborhood Revitalization Program for a new car dealership project. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Cessna moved to approve a real estate purchase contract for property located at 102 South J.C. Street, Lot 6, Block 1, Western Land Addition. Commissioner Dale seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Doll moved to reappoint Vicki Germann to serve on the Traffic Advisory Board from July 2016 – July 2019. Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Fankhauser moved to approve the following:

1. The Governing Body considered and approved the purchase of one Pierce 2017 Velocity 100-foot platform truck at a cost of \$1,203,473.31 from Pierce Manufacturing through the Fire Rescue Group Purchasing Organization (GPO).
2. The Governing Body considered and approved the following Quit Claim Deeds.
  - a. Quit Claim Deed from heirs of Mr. & Mrs. Vernon Lowell McGraw transferring Spaces 1 & 2, Lot 23, Zone D, at Valley View Cemetery to Jolene Baker.
  - b. Quit Claim Deed from heirs of Mr. & Mrs. Vernon Lowell McGraw transferring Spaces 3 & 4, Lot 23, Zone D, at Valley View Cemetery to Doyle McGraw.

- c. Quit Claim Deed from heirs of Mr. & Mrs. Vernon Lowell McGraw transferring Spaces 5 & 6, Lot 23, Zone D, at Valley View Cemetery to Douglas McGraw.
- d. Quit Claim Deed from heirs of William Mangan, Kenneth and Ronald Mangan, transferring Spaces 1 & 4, Lot 322, Zone A, at Valley View Cemetery to Roger Dimitt.

Commissioner Cessna seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Yea	Yea

Commissioner Fankhauser stepped down from the bench, citing a conflict of interest.

Commissioner Cessna moved to approve a purchase agreement for 302 N. 6th Street. Commissioner Doll seconded the motion. The vote was taken by yeas and nays and recorded as follows:

Cessna	Dale	Doll	Fankhauser	Law
Yea	Yea	Yea	Abstained	Yea

Commissioner Fankhauser rejoined the Commission at the bench.

Mayor Law adjourned the meeting since there was no further business before the Governing Body.

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Chris Law, Mayor

ATTEST:

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Celyn N. Hurtado, City Clerk

**City Commission Reports**

Commissioner Fankhauser congratulated Chuck Bouilly on his retirement and wished him well. Commissioner Fankhauser commented that the Traffic Study presentation was good and thanked staff for all their work on the study.

Commissioner Cessna thanked Garden City Police Department for their work on the first day of school enforcing school zones and directing traffic where needed and also thanked the Street Department for their work repainting the school crosswalks. Commissioner Cessna commented that National Night Out was a huge success with lots of neighborhood parties and that he enjoyed riding along with police officers. Commissioner Cessna reminded everyone that school has started and asked everyone to slow down while driving the streets of Garden City. Commissioner Cessna stated it was great to see the changes that have taken place in the Municipal Court area and appreciates all the hard work of the staff in that department.

Commissioner Dale thanked Public Works Director Curran for the review of the Traffic Study and stated it will be interesting to take that to the CIP committee and to see what their input will be. Commissioner Dale gave a special thank you to the City staff that helps to support the City Commission and reiterated that the City staff is the

greatest resource. Commissioner Dale challenged more neighborhoods to hold block parties next year for National Night Out.

Commissioner Doll enjoyed Public Works Director Curran's presentation on the Traffic Study. Commissioner Doll thanked Court and Defendant Coordinator Kuhlmann and staff for finding ways to save the City money and to be more efficient at work.

Mayor Law commented that he enjoyed riding along with Officer Vigil on National Night Out and that he was a fine young man. Mayor Law stated the Traffic Study has some great ideas and he enjoyed hearing the presentation. Mayor Law mentioned that he enjoyed attending the International Rescue Committee which is a program that is intended to help refugee community members in their relocation to Garden City.